

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA,  
Plaintiff,

CR. NO. 97-076-18-DRD  
(Related to: Civ. No.  
05-1609-DRD-CVR)

vs.

RE: MOTION TO MODIFY TERM  
OF IMPRISONMENT TO 18 U.S.C.  
3582(c)(2).

MIGUEL A. VEGA-COSME,  
Defendant.

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U.S. DISTRICT COURT  
SAN JUAN, P.R.

**MOTION REQUESTING REASSIGNMENT OF COUNSEL  
TO THE HONORABLE COURT**

NOW COMES, the defendant, MIGUEL A. VEGA-COSME, pro-se, and respectfully moves this Honorable Court to request that his "Motion to Modify Term of Imprisonment Pursuant to 18 U.S.C. Sec. 3582(c)(2)," be reassigned to attorney Rachel Brill under the Criminal Justice Act. In support thereof, he states:

1. On 4-2-08, the defendant filed a motion to modify his term of imprisonment pursuant to 18 U.S.C. Sec. 3582(c)(2), based upon Amendment 706, U.S.S.G. 2D1.1(c)(2007), and United States v. Booker, 543 U.S. 220(2005).
2. Pursuant to Administrative Directive dated 2-15-08, regarding petitions for retroactive application of Amendment 706, the defendant's motion was assigned to Federal Public Defender's Office.
3. On 4-23-08, the defendant received a letter informing that Ms. Melanie Carrillo-Jimenez (AFPD), has been assigned to represent the defendant in the above-mentioned motion.

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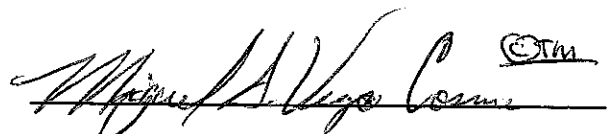
4. On 4-26-08, the defendant sent a letter to Ms. Carrillo-Jimenez notifying that at the present time he is being represented by attorney Rachel Brill (court-appointed) in a 2255 proceeding now pending before Honorable Magistrate Judge Camille Velez-Rive. See, Civ. No. 05-1609-DRD-CVR.
5. In addition, the defendant informed to Ms. Carrillo-Jimenez, his intention to request that his 3582(c)(2) motion be consolidated with his 2255 motion in order to reach a sentencing agreement with the United States without the necessity of further litigation herein.
6. Also, the defendant requested to Ms. Carrillo-Jimenez that his 3582(c)(2) motion be held in abeyance until he moves this Honorable Court for reassignment of counsel or further Notice.
7. It is respectfully submitted that attorney Rachel Brill has already agreed to represent the defendant (and his son) in both causes.
8. It is respectfully submitted that attorney Rachel Brill participated during the appeal process of this case and has plenty knowledge of defendant's case and is in a better position to represent the defendant herein.

Wherefore, based on the foregoing statements, and Judicial Economy, the defendant respectfully request that his 3582(c)(2) motion be re-assigned to attorney Rachel Brill under the Criminal Justice Act, 18 U.S.C. Sec. 3006. In the alternative, that his 3582(c)(2) motion be consolidated with his 2255 motion and re-assigned to Ms. Brill.

Respectfully Submitted.

5-12-08

Dated

 <sup>OTM</sup>

Miguel A. Vega-Cosme, pro-se  
Reg. no. 03648-069  
MDC-Gua., (Unit 3-A)  
P.O.B. 2005  
Cataño, PR 00963-2005

**CERTIFICATE OF PRO-SE COUNSEL**

I, MIGUEL A. VEGA-COSME, pro-se, hereby certify that all the foregoing statements made by me are true and correct to the best of my knowledge and belief. 28 U.S.C. 1746.

5-12-08

Dated

  
Miguel A. Vega-Cosme, pro-se

Reg. no. 03648-069  
MDC-Gua., (Unit 3-A)  
P.O.B. 2005  
Cataño, PR 00963-2005

**CERTIFICATE OF SERVICE**

I, MIGUEL A. VEGA-COSME, pro-se, hereby certify that a true and correct copy of this motion has been mailed to:

U.S. Attorney's Office/PR  
Torre Chardon, Suite 1201  
350 Chardon Avenue  
San Juan, PR 00918

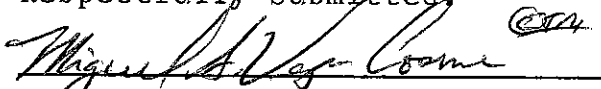
Rachel Brill  
Attorney at Law  
Mercantil Plaza Bldg., Ste. 1113  
Ponce de Leon Avenue  
San Juan. PR 00918

Melanie Carrillo-Jimenez  
Assistant Fed. Public Defender  
241 F. D. Roosevelt Avenue  
San Juan, PR 00918-2441

5-12-08

Dated

Respectfully Submitted,

  
Miguel A. Vega-Cosme, pro-se

Reg. no. 03648-069  
MDC-Gua., (Unit 3-A)  
P.O.B. 2005  
Cataño, PR 00963-2005